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Security Council

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Letter dated 18 October 2013 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 2100 (2013), I have the honour to transmit the attached note verbale, dated 11 October 2013, from the Permanent Mission of France to the United Nations conveying a report to the Security Council on the implementation of the mandate of French troops in Mali (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

[Original: French]

The Permanent Mission of France to the United Nations presents its compliments to the Office of the Secretary-General and has the honour to transmit the following:

In implementation of paragraph 18 of Security Council resolution 2100 (2013), please find attached the report of France on actions taken since 1 July 2013 by French forces in support of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).

Enclosure

Report

Under paragraph 18 of Security Council resolution 2100 (2013), France is required to report to the Security Council on the implementation of its mandate in support of MINUSMA.

Since 1 July 2013, the date of inception of MINUSMA, no combat operations "under imminent and serious threat" have been reported, nor has the Secretary-General made any requests of France in this regard.

Nevertheless, it should be noted that some fifteen joint operations have been carried out by Operation Serval with MINUSMA, reflecting the relationship of trust between the two forces. This relationship of trust also allows the two forces to provide each other with reliable and consistent support through the pooling of their chronically scarce resources.

Date	*Threat type*	*Action taken*	*Result*
24 June-8 July	Threat from armed jihadist group	Search operation in cooperation with MINUSMA and the Malian armed forces in Ansongo-Menaka region	Terrain familiarization – presence established – no seizures
15-21 July	Purported threat from armed jihadist group	Participation of a battalion of the Chadian armed forces for intervention in Mali in an operation in northern Mali	Terrain familiarization – recovery of matériel and munitions
19 July	Demonstrations in Kidal town centre	Mixed MINUSMA/Operation Serval patrols	Dispersal of a demonstration and securing of the town centre
28 July-11 August	Threat from armed jihadist group	Support in providing security for presidential elections — cooperation with Malian armed forces and MINUSMA at Bamako	Bamako and the airport and its surroundings effectively secured
28 July-11 August	Threat from armed jihadist group	Support in providing security for presidential elections — cooperation with Malian armed forces and MINUSMA	Polling stations effectively secured without incident
14 and 15 August	MNLA demonstrations at Kidal and Aguelhok	Deployment of an Operation Serval section at Kidal and action by the Liaison and Support Detachment (LSD) at Aguelhok	Dispersal of the demonstration and securing of the town centre
17 August	Demonstrations at Aguelhok	Mixed MINUSMA/Operation Serval patrols	Dispersal of the demonstration and securing of the town centre

Date	*Threat type*	*Action taken*	*Result*
4-15 September	Presence of armed jihadist group	Participation of the Niger Battalion in an Operation Serval search operation in the Aguelhok Tabenkort region	Terrain familiarization – participation in seizures of munitions and matériel
13 September	Grenade attack on the bank at Kidal	Explosive Ordinance Disposal (EOD) intervention on grenade at the bank	Sector secured by MINUSMA with its LSD and destruction of the grenade
16 September	Demonstration and occupation of Kidal airport following announcement of the arrival of a Govt. minister	Joint MINUSMA/Operation Serval intervention through deployment of a section	Airport secured, allowing it to be reopened after one hour
19 September	Possible terrorist threat	Support for providing security for the investiture of Ibrahim Boubakar Keïta	Airport and its surroundings secured
28 September	Attack on Timbuktu	EOD intervention in support of MINUSMA Quick Response Force	Attacked camp secured and explosives remaining in the area deactivated
30 September	Challenge by National Movement for the Liberation of Azawad (MNLA) youth and attempted destruction of the Kidal bank	Securing of the bank by a section of Operation Serval, dispatch of infantry reinforcements to the airport, and EOD intervention on the grenade at the bank	Kidal town centre secured and grenade destroyed – 3 MNLA members neutralized
9 October	Threat from armed jihadist group	Patrol by Burkina Faso Battalion, supported by Operation Serval close air support at Timbuktu	Sector secured – presence established – no seizures
20 October-3 November	Development of earlier intelligence	Search operation in cooperation with MINUSMA and Malian armed forces in the Bourem-Bamba region	To be announced
Pending	Attempted destruction of the Bentia bridge	Reconnaissance/securing of the bridge with elements of Burkina Faso Battalion	To be announced

The Liaison and Support Detachments carry out permanent and joint actions or operations with the MINUSMA battalions with which they are deployed. Since 1 July they have carried out approximately 70 joint patrols.

Moreover, the daily work of the French Liaison and Support Detachments deployed among the MINUSMA battalions should be highlighted. Each day, these units advise, coordinate and support their MINUSMA counterparts during their patrol and regional-control missions.

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Sixty-eighth session
Agenda item 76
Oceans and the law of the sea

Security Council
Sixty-eighth year

Letter dated 17 October 2013 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I draw your attention to an incident which took place within the exclusive economic zone of the Republic of Cyprus.

In particular, on 4 and 5 June 2013, while the seismic vessel *Ramform Sovereign* was sailing, under the flag of Singapore and the ownership of the Norwegian company Petroleum Geo-Services, in the south-western part of the exclusive economic zone of the Republic of Cyprus, it was harassed by the Turkish navy.

It should be underlined that the *Ramform Sovereign* was duly licensed by the competent authorities of the Republic of Cyprus tc perform seismic surveys in block 12 of the exclusive economic zone of the Republic of Cyprus.

The incident was reported to the authorities of the Republic of Cyprus by the shipowning company Petroleum Geo-Services. According to the information contained in the logbook of the *Ramform Sovereign* and confirmed by the investigation carried out by the police of Cyprus, the incident occurred as follows:

- On 4 June 2013, at 0600 UTC, the vessel *Ramform Sovereign* entered the western part of the exclusive economic zone of the Republic of Cyprus (33°59.202'N 030°05.322'E) and started the deployment of streamers, in view of the seismic survey which was scheduled to be carried out in exploration block 12, in the southern part of the exclusive economic zone of the Republic of Cyprus.
- At 2335, the *Ramform Sovereign* received a Fleet 77 (Inmarsat) call from the Turkish navy requesting the *Ramform Sovereign* to clear out the area by moving 5 nautical miles south, to steer on course 120° and "remain south of N33°56"7' E031°21"5'/N33°47"2' E032°16"3'".
- At 0020, on 5 June, the Turkish navy called the *Ramform Sovereign*, instructed its captain to turn to starboard and steer upon the given track; otherwise, a warship would be sent to the spot within two minutes.

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- At 0408, a Turkish military vessel called the captain of the *Ramform Sovereign* by VHF 12 and asked for the vessel's details.
- At 0429, the *Ramform Sovereign* received another VHF call from the same Turkish military vessel asking it to alter course to 180°.
- At 0431, the *Ramform Sovereign* started a slow turn to the right and continued on its way towards its planned seismic survey area in block 12 of the exclusive economic zone of the Republic of Cyprus.

The *Ramform Sovereign* was accompanied by two supportive vessels, the *Flying Enterprise* and the *EDT Argonaut*, both sailing under the flag of Cyprus and belonging to the company EDT Offshore. Even though these supportive vessels were not directly harassed by the Turkish navy, they confirm the presence of a Turkish military vessel during the incident.

The Republic of Cyprus proclaimed its exclusive economic zone in 2004 through the enactment of the Exclusive Economic Zone Law (law No. 64(I)/2004). Furthermore, with regard to its continental shelf, Cyprus enacted the Continental Shelf Law (law No. 8/74). At all times during the incident described above, the *Ramform Sovereign* and its accompanying vessels were within the exclusive economic zone of the Republic of Cyprus and preparing to carry out a survey with the purpose of exploring the Cypriot continental shelf for hydrocarbons.

The Republic of Turkey, through the actions of its navy against the *Ramform Sovereign*, violated the sovereign right of the Republic of Cyprus to carry out and authorize the carrying out of actions for the exploration of its exclusive economic zone and continental shelf for natural resources, pursuant to articles 56.1 (a) and 77.1, respectively, of the United Nations Conference on the Law of the Sea.

The Turkish navy, of which at least one vessel was involved in the incident, had no jurisdiction or right to either intervene or instruct the *Ramform Sovereign* in any way.

It is evident that Turkey has once again opted to operate outside international law and to demonstrate in an unequivocal way its hostile intentions against the Republic of Cyprus.

I would be grateful if the present letter were circulated as a document of the General Assembly, under agenda item 76, and of the Security Council and published in the next issue of the Law of the Sea Bulletin.

(*Signed*) Nicholas **Emiliou**

United Nations S/2013/623

Security Council

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21 October 2013

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Report of the Secretary-General on the situation with respect to piracy and armed robbery at sea off the coast of Somalia

I. Introduction

1. The present report is submitted pursuant to paragraph 34 of Security Council resolution 2077 (2012), in which the Council requested me to report on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia. In addition, in its presidential statement of 19 November 2012 (S/PRST/2012/24), the Council requested me to include in my report information concerning the implementation of that statement, including any new information and observations on possible ways to advance international efforts to combat the problem of piracy and armed robbery at sea and associated hostage-taking.

2. The present report provides an update on major developments on those issues since my previous report, of 22 October 2012 (S/2012/783). The assessment and observations in the report are based on information provided by Member States and regional organizations, in conformity with paragraph 33 of resolution 2077 (2012). Information was provided by Finland, Germany, Greece, Israel, Japan, Lithuania, Madagascar, Norway, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as well as by the European Union and the North Atlantic Treaty Organization (NATO). The United Nations system, the International Criminal Police Organization (INTERPOL) and the Monitoring Group on Somalia and Eritrea were also consulted.

II. Main developments on piracy off the coast of Somalia

3. The number of reported incidents of piracy off the coast of Somalia has declined sharply and is at its lowest level since 2006. The latest reports from the International Maritime Organization (IMO) show a significant decrease in pirate attacks and hijackings in 2013 compared with 2012 and 2011. During the first nine months of 2012, 99 attacks took place, while during the first nine months of 2013, 17 attacks occurred against ships in the waters off the coast of Somalia, in which pirates were able to briefly hijack two dhows. The last large commercial vessel to have been hijacked and held for ransom by Somali pirates was the *MT Smyrni*, which was taken in May 2012.

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4. A number of measures have led to a decline in attacks: improved international and regional cooperation on counter-piracy efforts, including better intelligence- and information-sharing; targeted actions by the international naval presence to discourage and disrupt Somali pirates; increased application of IMO guidance and of the Best Management Practices for Protection against Somalia-based Piracy, developed by the shipping industry; and prosecution of suspected pirates and imprisonment of those convicted. The adoption of self-protection and situational awareness measures by commercial ships, including the deployment of privately contracted armed security personnel on board vessels and vessel protection detachments, are also believed to have contributed to the decrease in piracy attacks.

5. Nevertheless, ships still do not transit peacefully off the coast of Somalia. Piracy and armed robbery in the area continue to endanger the safety of seafarers, fishermen and passengers, as well as the delivery of humanitarian aid. Somali pirates have adopted a "business model" aimed at hijacking vessels and crews and holding them hostage for many months in order to extract ransoms. As at 17 October 2013, two small vessels and 60 seafarers were still being held by Somali pirates, mostly ashore; in some cases, their whereabouts are unknown.

6. According to the United Nations Office on Drugs and Crime (UNODC), Somali pirates reportedly collected between $36 million and $49.5 million in ransoms in 2012, with the average payment estimated at over $4 million per ransom. The ransoms paid for the *MT Smyrni*, which was released at the beginning of 2013, are reported to have totalled $13 million. The non-governmental organization Oceans Beyond Piracy has estimated that, in 2012, $63.5 million was spent to cover the costs of ransom delivery, vessel damage from time in captivity and the fees of negotiators, consultants and attorneys, as well as the ransoms. According to UNODC and World Bank estimates, Somali pirates received between $339 million and $413 million in ransoms between April 2005 and December 2012.

7. According to the World Bank report *The Pirates of Somalia: Ending the Threat, Rebuilding a Nation*, as at May 2012 some 3,741 seafarers of 125 nationalities had been taken hostage by Somali pirates; some of them had been in detention for as long as 1,178 days. Somalia-based piracy has resulted in an estimated yearly loss to the world economy of $18 billion. Since 2006, annual visitor arrivals in affected East African coastal countries has dropped by almost 6.5 per cent, while the tuna catch in affected areas has dropped by 26.8 per cent annually and annual fisheries exports have fallen by 23.8 per cent.

8. Given the substantial ransoms already collected by pirate financiers, it is estimated that pirates retain the capacity to attack vessels. It has been reported that several pirate financiers are engaging in other criminal activities as well and that they have built significant paramilitary capacities on land, and thus have the potential to destabilize the region.

III. Hostage release and support efforts

9. Hostages held by Somali pirates endure dire conditions in captivity; sometimes, pirates torture and threaten hostages in an effort to extract the maximum ransom. The incentive for some shipowners to assist in the release of hostages is low owing to huge ransom demands and efforts to eliminate the incentive for hijackings. In some instances, shipowners became insolvent because they cannot

charter vessels that are held by pirates for long periods of time. Flag States and States of the nationality of the crews are often reluctant to become involved. In these circumstances, securing the release and return of hostages may be left to families, friends and welfare organizations.

10. According to the working paper entitled "The human cost of maritime piracy 2012", which was prepared by the non-governmental organizations Maritime Piracy Humanitarian Response Programme and Oceans Beyond Piracy, as well as the non-profit organization International Maritime Bureau, all hostages held captive by Somali pirates at the time of writing had been held for over one year and were considered to be at high risk owing to physical abuse and health problems resulting from limited access to food, water and medical support for over a year. Upon release, the vast majority of crew members report having undergone some form of physical violence and psychological abuse, while others have experienced direct threats of execution or other extreme stressors. Crew members and their families also face financial difficulties owing to disruptions to or the cessation of the payment of wages.

11. To address these humanitarian challenges, in November 2012 the Board of the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia approved, on an exceptional basis, the Hostage Support Programme to provide medical care, accommodation, food, clothes and welfare items to isolated groups of hostages during the release phase and to support them in returning home swiftly. The programme, implemented by UNODC and the United Nations Political Office for Somalia (UNPOS) until the end of the latter's mandate in June 2013, has so far provided humanitarian assistance and recovery and repatriation support to 93 hostages. In order to ensure that hostage data and the accounts of hostages' experiences or testimonies are not lost, the Programme has initiated a project to collect accounts of hostages to develop best practices for assisting seafarers who have been held hostage or are vulnerable to capture. The debriefing of former hostages by INTERPOL has proven successful in a number of ongoing investigations. INTERPOL has developed a project to debrief released hostages in support of investigations that will lead to the prosecution of the hostages' captors and encourage States to open investigations against the perpetrators.

12. In November 2012, the Hostage Support Programme provided assistance for the repatriation of two fishermen of Seychelles who had been held in captivity in Somalia for a year. In late November, it provided humanitarian support to 19 hostages released by the navy of the Netherlands from a vessel captured by Somali pirates. In late December 2012, the Programme coordinated the repatriation of 22 seafarers from Ghana, India, Pakistan, the Philippines, the Sudan and Yemen who had been held hostage on board the *MV Iceberg-1* for more than 1,000 days. For those States that did not have the resources to recover hostages, the Programme stepped in, expending around $50,000. On 10 January 2013, one Sri Lankan and two Syrian hostages from the *MV Orna* were recovered from Mogadishu by the Programme. The Sri Lankan seafarer travelled to Nairobi on a United Nations aircraft, while the two Syrians boarded commercial flights to Beirut. On 12 January 2013, three remaining Syrian hostages were released in Adado and flown to Beirut for onward repatriation.

13. On 6 July 2013, the *MV Albedo*, which had been held by Somali pirates since November 2010, sank. Despite the hazardous and fragile condition of the vessel,

15 seafarers had been kept hostage on board. Eleven hostages from Bangladesh, India, Iran (Islamic Republic of) and Sri Lanka were transferred to another location, while four crew members are reported missing. The Hostage Support Programme is working with the Federal Government of Somalia, regional administrations, local leaders, the Maritime Piracy Humanitarian Response Programme, the European Union, INTERPOL and concerned Member States to determine the precise details and status of the seafarers and update their families. In August and September 2013, medical support, including two visits by a doctor, was for the first time delivered to these seafarers through local contacts. The Hostage Support Programme is also seeking to re-establish contact with crews from the *MV Asphalt Venture* and the *MV Prantalay-12*, both of which have been held for more than three years, and other hostages. This sensitive and painstaking work has recently yielded results, as contact has been established with some seafarers after two years. Member States, international and regional organizations and family members of the hostages expressed appreciation and commended the support and regular updates provided by the Programme.

IV. Efforts by Somalia

14. The Somali contact group on counter-piracy, also known as the Kampala process, has become a useful means of allowing the Federal Government of Somalia and authorities in Puntland, Galmudug and "Somaliland" to participate at a technical level to resolve maritime security and counter-piracy issues and address policy and strategy development. In June 2013, "Somaliland" authorities informed my Special Representative for Somalia that the United Nations Assistance Mission in Somalia (UNSOM) should not operate in "Somaliland", on the grounds that, in their view, the territory is not part of the Federal Republic of Somalia and that UNSOM was mandated to work in Somalia only. Consequently, discussions are currently taking place to establish how the Kampala process can be further improved to assist Somali counter-piracy efforts.

15. Two meetings were held in the context of the Kampala process: the first was held in Addis Ababa in March 2013 and the second in Nairobi in June 2013. The meetings, which were facilitated by the Food and Agriculture Organization of the United Nations (FAO), IMO, UNODC and UNPOS, in cooperation with the European Union, resulted in a draft Somali maritime security and resource strategy that identified six functional areas and a legislative framework to support the strategy; the final version of the strategy was developed in September 2013. The functional areas are maritime governance, led by IMO; maritime law enforcement, led by UNODC; maritime security, led by UNSOM; maritime safety, led by IMO; maritime response and recovery, led by the United Nations Educational, Scientific and Cultural Organization and IMO; and maritime economy, led by FAO.

16. In a recorded video address to the Contact Group on Piracy off the Coast of Somalia at its 14th plenary meeting, held on 1 May 2013, the President of Somalia, Hassan Sheikh Mohamud, urged the international naval forces conducting counter-piracy operations in the region to assist Somalia in patrolling its waters and reinforce Somali marine security units. The President noted that the implementation of the Somali Maritime Resource and Security Strategy would entail building capacity throughout the country to develop governance structures, ports, human

resources and the maritime safety and security sector, and welcomed the support of the international community in this endeavour.

17. In a rescue operation conducted in December 2012, 22 hostages on board the *MV Iceberg-1* were rescued by Puntland forces. On 11 March 2013, the Prime Minister of Somalia, Abdi Farah Shirdon, and the President of Puntland, Abdirahman Mohamed "Farole", held a joint meeting in Garoowe between the Puntland cabinet and a delegation of the Federal Government of Somalia. The two sides agreed to work together to fight terrorism and piracy. On 21 March 2013, Puntland and "Somaliland" representatives met in Nairobi and agreed on joint security cooperation measures to share information and collaborate on fighting terrorism, piracy and other forms of organized crime.

18. On 30 July 2013, the Federal Government of Somalia signed an agreement with an international maritime security firm to establish a coast guard to combat piracy and patrol and secure Somali waters. Puntland and "Somaliland" criticized the agreement; Puntland authorities said the agreement undermined the efforts of Kampala process members to maintain Somali sovereignty and control over territorial waters.

19. In its report dated 12 July 2013 (S/2013/413), the Monitoring Group on Somalia and Eritrea took note of the intention of President Mohamud to offer amnesty to young pirates but not to pirate kingpins. The Group expressed the view that it was an oversimplification to reduce a complex transnational organized crime to a matter of kingpins and young boys and that the steps described by the President could lead to a general policy of amnesty for acts of Somali piracy. The Group also noted that to date neither the Government of Somalia nor the Puntland administration nor any other local authority had seriously investigated and prosecuted any senior pirate leaders, financiers, negotiators or facilitators, and that the leadership of the principal piracy networks and their associates continued to enjoy impunity and had not been hindered in their ability to travel or transfer funds.

V. International cooperation

A. Contact Group on Piracy off the Coast of Somalia

20. On 11 December 2012, the Contact Group on Piracy off the Coast of Somalia held its 13th plenary meeting in New York. At the meeting, which was chaired by India, participants emphasized the need for continued international coordination and cooperation owing to the persistent underlying causes of piracy and the fact that pirate action groups remained active. They stressed the need to free seafarers held hostage, expressed appreciation for the Hostage Support Programme, encouraged the Somali authorities to pass comprehensive counter-piracy legislation without delay and supported the continued implementation of the post-trial transfer system.

21. On 1 May 2013, at its 14th plenary meeting, which was chaired by the United States of America, the Contact Group agreed to better integrate its work with that of formal institutional actors in Somalia, including the Federal Government of Somalia. This would ensure the effectiveness and sustainability of the Contact Group, strengthen and focus law enforcement efforts to disrupt pirate networks ashore and proactively address the complex policy and legal issues associated with

the use of armed security guards and weapons for self-defence on commercial ships. In this regard, the Contact Group noted the need to respect applicable law and further coordinate ongoing efforts by relevant organizations engaged in these issues. The Chair instituted a quarterly newsletter to communicate more effectively to the global public the multifaceted work of the Contact Group. Highlighting the importance of regional cooperation and the need to address thematic and cross-cutting issues in countering piracy, the Governments of Djibouti and the United States announced that they would co-host the first "counter-piracy week", to be held in Djibouti in November 2013, which would culminate in the 15th plenary meeting of the Contact Group.

22. During the reporting period, Working Group 1, chaired by the United Kingdom and supported by IMO, facilitated the effective coordination of naval presences and international efforts to support the building of the judicial and maritime capacity of States in the region. The Working Group met in November 2012 in London, then held meetings in Addis Ababa in March 2013 and in Nairobi in June 2013 to foster greater regional engagement and participation. It worked to promote maximum transparency and awareness of capacity-building activities in order to minimize duplication and ensure the greatest possible positive impact in Somalia and the region. In December 2012, the Contact Group endorsed the creation of a new capacity-building coordination group to facilitate the coordination of regional capacity development and the identification of future priorities for international action. The coordination group reports to and supports Working Group 1. The Working Group commended the Shared Awareness and Deconfliction mechanism for maximizing the impact of international naval operations at sea and supporting regional partners in building their own capabilities.

23. Under the chairmanship of Denmark and with the support of UNODC, Working Group 2 continued its efforts to provide legal guidance to States and organizations on all legal issues related to the fight against piracy, including the prosecution of individuals suspected of acts of piracy and the imprisonment of those convicted in accordance with international standards. The Working Group held detailed discussions of human rights issues and plans to share best practices in this field, including on how to handle juveniles suspected of piracy. The Working Group retained its focus on implementation of the post-trial transfer system, prosecution, including the international legal framework for prosecuting piracy organizers, and the use of privately contracted armed security personnel on board ships and vessel protection detachments.

24. Working Group 3, which focuses on the efforts of States, the maritime industry and labour groups to protect vessels from piracy off the coast of Somalia, is chaired by the Republic of Korea. During the reporting period, it intensified efforts to develop guidance on the welfare of seafarers and families affected by Somali pirates. Working Group 3 also focused on the issue of the high-risk area and will hold an ad hoc meeting in late 2013 to review the threat assessment by naval forces, any changes in the position of stakeholders and the possibility of reducing the scope of the high-risk area.

25. Under the chairmanship of Egypt, Working Group 4 focused on public diplomacy aspects of combating piracy off the coast of Somalia. It raised awareness of the dangers of piracy and highlighted best practices to eradicate it. The Working Group developed guidelines on effective counter-piracy messaging to the

international community and submitted them to the Contact Group for dissemination. Working Group members agreed to support the counter-piracy messaging efforts of the Federal Government of Somalia and to align the Contact Group's messages where appropriate.

26. Working Group 5, chaired by Italy, continued its work to disrupt illicit financial flows linked to piracy by promoting international information-sharing, cooperation and coordination in order to disrupt pirate networks. The Working Group developed the Ten Key Principles in Information-sharing for Identifying and Prosecuting Pirates that was endorsed by the Contact Group at its 14th plenary meeting. It supported strategic collaboration between Governments and victims of piracy, including seafarers, shipowners, law firms, insurers and negotiators. On the basis of the recommendations of Working Group 5, the Contact Group urged States to designate national points of contact for policies and operations related to hostage negotiation and information-sharing and recognized the key role played by INTERPOL in collecting and analysing piracy-related data and sharing such information with appropriate authorities.

27. In March 2013, Working Group 1 and Working Group 4 held consecutive meetings in Addis Ababa, while in April 2013 Working Group 2 and Working Group 5 held consecutive meetings in Copenhagen. Also in April, the Chairs of Working Group 2 and Working Group 5 hosted, with INTERPOL, a special meeting of piracy prosecutors and investigators intended to facilitate information-sharing among law enforcement agencies to target key piracy organizers and financiers. At its 14th plenary meeting, the Contact Group welcomed these meetings as a good practice that enabled participants from Working Groups to take better advantage of the co-location of relevant technical and policy experts to discuss cross-cutting issues.

B. Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia

28. The Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, which is chaired by the Department of Political Affairs, continues to be an efficient mechanism for supporting the international community's efforts to counter piracy off the coast of Somalia. The Trust Fund has financed the initiatives of five United Nations entities: FAO, IMO, the United Nations Development Programme (UNDP), UNODC and UNPOS. Collectively, the Trust Fund has supported a range of activities, including strengthening the regional capacity to prosecute persons suspected of acts of piracy and sanction those convicted, providing basic comfort and minimum treatment standards for prisoners, enhancing the capacity of judiciaries and prosecutorial services, building up the police departments in Kenya, Mauritius, Seychelles, Somalia and the United Republic of Tanzania and creating greater public awareness of the consequences of engaging in piracy.

29. During the reporting period, the Board of the Trust Fund met twice and approved 10 projects worth $4.9 million. In November 2012, the Board approved, on an exceptional basis, the Hostage Support Programme, to provide humanitarian assistance to hostages. On 10 December, at its 12th meeting, the Board approved four projects submitted by IMO, UNDP, UNPOS and UNODC worth $2.68 million

and decided to replenish the Expedited Facility to meet short-term, unforeseen expenditures. On 30 April 2013, the Board held its 13th meeting, during which it approved five projects submitted by FAO and UNODC worth $2 million. New projects will target illicit financial flows derived from pirate activities, support Kenyan prisons in meeting the Standard Minimum Rules for the Treatment of Prisoners, provide a biometrics-based fishermen database system in Puntland, equip detainees and at-risk youth in Somalia with livelihood skills and facilitate the repatriation of 40 Somali nationals suspected of piracy and apprehended by Maldives.

30. Since its inception in January 2010, the Trust Fund has received around $17.5 million in contributions from Member States and the maritime industry. It approved nearly $16.9 million in funding for 31 projects and $700,000 to meet short-term unforeseen expenditures. UNODC has received the largest share of the Trust Fund allocation, totalling $11.16 million. On 21 December 2012, the UNDP Multi-Partner Trust Fund Office took over as the new Trust Fund administrator. The Department of Political Affairs, as the Trust Fund secretariat, was assigned the responsibility of preparing annual consolidated narrative reports.

C. Regional cooperation

31. Implementation of the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, funded and administered through IMO, continues to deliver tangible results in the four thematic areas of information-sharing, training, national legislation and capacity-building. The Member States who signed the Code have committed to sharing relevant information on acts of piracy and armed robbery against ships, ensuring that persons suspected of piracy are apprehended and prosecuted and facilitating proper care, treatment and repatriation of seafarers, fishermen and other shipboard personnel who have faced acts of piracy. Three information-sharing centres have been established in Sana'a, Mombasa (Kenya) and Dar es Salaam (United Republic of Tanzania) to manage a network of national focal points throughout the region, including in Puntland and "Somaliland". The network provides information on piracy activity and dhow movements, which has assisted international naval forces to identify pirate mother vessels. IMO initiated the review and revision of counter-piracy provisions in the national legislations of the Comoros and Mozambique, as well as the identification of Somali legislation on piracy. IMO conducted 25 courses and workshops, training over 600 officials to address piracy through the regional training centre in Djibouti. Under the Code, a coastal maritime surveillance system was set up in the United Republic of Tanzania in partnership with the United States.

32. At the second London Conference on Somalia, held on 7 May 2013, participants expressed support for the ongoing efforts of the Federal Government of Somalia to establish internationally recognized Somali waters, as well as partners' efforts to develop Somali maritime security capacities and to bring to justice those involved in piracy. The United Kingdom committed $2.3 million towards securing the coastline of Somalia.

33. At the fifth Tokyo International Conference on African Development, held in June 2013, participants agreed that resolving cross-border issues such as piracy was

essential to achieving a stable African continent. Japan announced that it would support the capacity-building of coastguards in countries neighbouring Somalia, including through the provision of patrol vessels.

34. Participants in a third high-level counter-piracy conference, on the theme "Countering maritime piracy: continued efforts for regional capacity-building", held in Dubai on 11 and 12 September 2013, commended Somali-led efforts to agree on the Somali Maritime Resources and Security Strategy, and noted that the Strategy was a comprehensive and inclusive strategic framework that aimed to assist Somalia in developing a peaceful and productive maritime domain.

35. On 16 September 2013, the Federal Government of Somalia and the European Union co-hosted a conference entitled "A new deal for Somalia", held in Brussels, at which the Somali Compact was endorsed. In the Compact, it was noted that the development of an effective maritime security strategy for Somalia within the framework of the Somali Maritime Resource and Security Strategy was a priority and that the Strategy provided the mechanism for the identification of specific needs in the areas of maritime law enforcement, maritime security, maritime safety and maritime response/recovery and linked maritime governance with the maritime economy.

36. At the ministerial meeting of the Intergovernmental Authority on Development partners forum, held on 26 September 2013 in New York, participants emphasized the regional dimension of the challenges to peace and stability in Somalia and noted that a more structured cooperation among countries in the Horn of Africa was key to tackling transborder issues such as terrorism, piracy and trafficking.

D. Naval activities off the coast of Somalia

37. The three counter-piracy maritime forces from the European Union, NATO and the Combined Maritime Forces, as well as naval counter-piracy missions from several Member States, including China, India, Indonesia, Japan, the Republic of Korea, Malaysia, Pakistan and the Russian Federation, have cooperated in the Gulf of Aden, resulting in as many as 20 warships from over a dozen nations conducting counter-piracy operations, as authorized by the Security Council in its resolution 2077 (2012).

38. The first European Union Naval Force operation, Atalanta, which comprises up to five vessels and four aircraft and more than 900 personnel, has disrupted several pirate attacks and transferred 21 suspected pirates for prosecution in Seychelles and Mauritius. It also supports States in the region in developing their counter-piracy capacity. Since 2007, 171 vessels carrying over 1,729,180 tons of World Food Programme (WFP) food and humanitarian aid to Somalia and the broader region have been escorted by Member States and regional groupings, including through the Atalanta operation. During the past 12 months, 23 WFP chartered vessels carrying over 353,657 tons of humanitarian aid sailed under Atalanta protection without incident. No ship carrying WFP food supplies has been attacked by pirates since the deployment of Atalanta.

39. The NATO operation Ocean Shield comprises up to five vessels that patrol the waters off the coast of the Horn of Africa and along the Internationally Recommended Transit Corridor in the Gulf of Aden. The North Atlantic Council

will consider options regarding the involvement of NATO in counter-piracy efforts after 2014, which is when the current mandate of operation Ocean Shield is set to expire. Operation Ocean Shield seeks to transfer any individual detained for acts of piracy to designated national law enforcement agencies.

40. The Combined Maritime Forces, a multinational naval partnership comprising 29 States, operates three combined task forces. The Forces' counter-piracy efforts in the Gulf of Aden, the Arabian Sea, the Indian Ocean, the Somalia Basin and the Red Sea are managed by Combined Task Force 151. During the reporting period, Combined Task Force 151 was under the command of Australia, France and Pakistan; the United Kingdom will be in command until the end of 2013. From October 2012 to May 2013, the United States ships that were assigned to Combined Task Force 151 and NATO Task Force 508 spent a combined 240 days on counter-piracy operations, while United States maritime patrol aircraft conducted 80 flights over the area in which pirates operate.

41. African Union efforts in Somalia and the presence in the region of naval forces of the States members of the Southern African Development Community (SADC) have also contributed to addressing piracy. The Standing Maritime Committee of SADC has also taken measures to address piracy, despite facing resource constraints and a shortage of vessels.

E. Further efforts to safeguard international navigation off the coast of Somalia

42. As agreed by IMO member States, the matter of permitting privately contracted armed security personnel on board ships is a matter for the flag State to decide. In that regard, it is recalled that article 94 of the United Nations Convention on the Law of the Sea requires all States to exercise jurisdiction and control in administrative, technical and social matters over ships flying their flag. Hence, there are different national legal frameworks covering the deployment of privately contracted armed security personnel on board ships. IMO, with contributions received from the Contact Group on Piracy off the Coast of Somalia and its working groups, has developed interim guidance on the use of privately contracted armed security personnel on board ships in the high-risk area for shipowners, ship operators and ship masters, as well as interim recommendations for flag, port and coastal States. In May 2012, IMO also adopted the Interim Guidance to Private Maritime Security Companies providing privately contracted armed security personnel on board shops in the high-risk area, which has, in turn, provided a basis for the development, by the International Organization for Standardization (ISO), of the ISO/Publicly Available Specification (PAS) 28007 on guidelines for private maritime security companies providing privately contracted armed security personnel on board ships, published in December 2012. A crucial component of ISO/PAS 28007 is the guidance on rules for the use of force. The United Nations Interregional Crime and Justice Research Institute (UNICRI) is also conducting a project related to the use of privately contracted armed security personnel on board vessels, with the objective of preparing a set of guidelines and agreed standards. The United States will devote a portion of the 15th plenary meeting of the Contact Group, to be held in November 2013, to policy issues related to the use of privately contracted armed security personnel. At the end of its mission to Somalia in December 2012, the Working Group on the use of mercenaries as a means of

violating human rights and impeding the exercise of the rights of peoples to self-determination called on the international community to agree upon regulations on the use of armed guards on ships, as well as procedures guaranteeing that incidents at sea are duly recorded and reported to the relevant authorities.

VI. Legal issues, including human rights considerations

43. National authorities and courts should comply with international human rights obligations in all phases of counter-piracy operations, including apprehension, detention, prosecution, trial and transfer of suspected pirates and imprisonment of convicted pirates. Working Group 2 of the Contact Group on Piracy off the Coast of Somalia is preparing guidelines on determining the age of apprehended individuals and handling of juvenile suspects by capturing or prosecuting States, as well as on the detention and prosecution of those who recruit juvenile pirates. The possibility to retrain, re-educate and rehabilitate juvenile suspects, where appropriate, should remain an important consideration. In this regard, States should be guided by the Convention on the Rights of the Child and the interpretation of the Committee on the Rights of the Child of its standards.

44. The UNODC Counter-Piracy Programme continues to build capacity and provide substantive technical support to the police, prosecutors and court and prison officials in Somalia and other States in the region, namely, Kenya, Mauritius, Seychelles and the United Republic of Tanzania. It aims to ensure that the arrest and detention of individuals suspected of piracy and the prosecution and subsequent imprisonment of convicted pirates is consistent with international human rights law and criminal justice standards. The Programme has created courts and correctional facilities in Kenya, Mauritius, Seychelles and Somalia that are grounded in international standards and norms. It is providing prisoners convicted of acts of piracy with welfare support, transferring and repatriating individuals suspected or convicted of acts of piracy to their homelands, supporting released hostages and training police and coastguard officials, as well as judges and prosecutors. It ensures access to defence counsel for individuals suspected of piracy during trials in Kenya, Mauritius and Seychelles through the provision of funding to Government legal aid lawyers or non-governmental organizations.

45. Countries in the region supported by the Counter-Piracy Programme continue to receive individuals suspected of piracy for prosecution. In total, 53 suspects remain on remand in Kenya, Mauritius and Seychelles, with the Programme supporting their trials. Another 153 convicted pirates are currently serving their sentences in Kenya and Seychelles. Prison conditions for these inmates continue to be monitored and improved where required.

46. Prosecutions continue to be carried out by Member States outside the region as well. For example, on 19 October 2012, a court in Germany sentenced 10 Somalis to prison in the first piracy case before German courts in over 400 years. In 2013, four Somali pirates were sentenced to prison by a court in Japan. In August 2013, a United States federal jury recommended sentences of life imprisonment for three Somali men convicted for their involvement in an incident aboard the *S/V Quest* in which the pirates killed four United States citizens. Eleven co-conspirators had previously pled guilty to piracy charges and are serving lengthy prison sentences in the United States.

47. UNICRI, in partnership with IMO, has established a database of court decisions related to piracy off the coast of Somalia. The data available so far indicates that the average age of individuals tried for piracy is 23 years. The length of the sentences issued ranges from 2 to 24 years, with an average of 12 years of imprisonment. Most individuals brought to trial originate from two major cities: Mogadishu and Galkayo. With the help of its maritime piracy global database, INTERPOL has been able to respond to an increasing number of queries from both its member countries and organizations with which it has an information-sharing agreement.

48. Some States in the region that accept individuals suspected of acts of piracy for prosecution require convicted individuals to be transferred back to Somalia to serve their sentences. The UNODC piracy prisoners transfer programme in Puntland and "Somaliland" ensures that convicted pirates transferred back to Somalia for incarceration are treated in accordance with applicable international standards. Through the programme prison managers and staff are trained on international human rights law. Post-trial transfers facilitated by UNODC are contingent on five conditions being met: the consent of the prosecuting State; the consent of the arresting State; the agreement of the arrested individuals; the individuals to be transferred being over 18 years old; and the accused person having exhausted all appeals. Such transfers may allow the prisoners to be close to their families, culture, language and religion, while also increasing the possibility of a successful reintegration into society.

49. The programme will continue to facilitate the transfer of those prisoners who are willing and eligible to serve their sentence in Somalia. UNODC has supported the Government of Seychelles in transferring 67 convicted Somali pirates back to Somalia. Such transfers have demonstrated the viability of a "prosecution chain" that includes the following steps: apprehension by the international naval force, prosecution by States in the region and subsequent post-trial transfer of convicted pirates to Somalia.

VII. Capacity-building and support for piracy-related prosecutions in the region

50. The United Nations, Member States and regional organizations continue to support the efforts of Somalia to develop capacity in maritime security and law enforcement. UNODC has constructed a new building for the Ministry of Justice in Garowe, Puntland, and is finalizing a new building for the Ministry of Justice in Hargeisa, "Somaliland". It continues to improve conditions in the Garowe and Bosasso prisons, in Puntland, and Hargeisa and Mandera prisons, in "Somaliland", through the deployment of mentors, the training of new recruits and the construction of new prison facilities and the rehabilitation of old ones. UNODC has developed a programme to build the capacity of Somali maritime law enforcement authorities. The programme will assist Somalis in protecting, managing and harnessing the natural resources and economic opportunities present in their maritime domain.

51. Through its civilian maritime capacity-building mission for the Horn of Africa EUCAP Nestor, which was launched in the second half of 2012, the European Union seeks to develop the seafaring capacities of Djibouti, Kenya, Seychelles and the United Republic of Tanzania and support the development of a coastal police force

in Puntland and "Somaliland". The mission is providing strategic advice to the Federal Government of Somalia and supporting the legal work of the Kampala process.

52. In May 2013, the European Union launched a regional maritime security programme worth €37.5 million to fight piracy and promote maritime security in the region comprising Eastern and Southern Africa and the Indian Ocean. Implemented by four regional organizations, namely, the Indian Ocean Commission, the Intergovernmental Authority on Development, the Common Market for Eastern and Southern Africa and the East African Community, the programme will contribute to addressing Somalia-based piracy, enhancing regional and national judicial capabilities to arrest, detain, prosecute and transfer individuals suspected of acts of piracy, addressing the economic impact and financial flows related to piracy and improving maritime security work, including surveillance and coastguard functions.

53. UNODC has been implementing a joint support programme with the European Union in Mauritius, which accepted, for the first time, to accept individuals suspected of acts of piracy for prosecution in January 2013 and will hold its first piracy-related trial in late 2013. UNODC has been supporting Mauritius through the drafting of legislation and procedures, the training of judicial officials and the provision of necessary infrastructure.

54. In February 2013, Seychelles, with financial support from the United Kingdom, opened the Regional Anti-Piracy Prosecution and Intelligence Coordination Centre. The Centre will develop regional expertise to track financial flows linked to piracy and support the collection of evidence and intelligence that could be used in prosecutions. UNODC is providing logistical and training support to the Centre. With the support of Norway, INTERPOL seconded an officer to the Centre to support efforts to build cases against the organizers of piracy networks. In June 2013, Norway signed an agreement with Seychelles to regulate the transfer of individuals suspected of piracy apprehended by Norwegian vessels to Seychelles for prosecution.

55. Within the framework of the European Union-funded project on law enforcement capacity-building in East Africa, which is part of the Critical Maritime Routes programme, INTERPOL trained law enforcement officials of Kenya, Mauritius, Seychelles and the United Republic of Tanzania on maritime piracy and crime scene investigation. In addition INTERPOL provided crime scene investigation equipment to Djibouti, Kenya and the United Republic of Tanzania and an automated fingerprint identification system to Seychelles. It also assisted Kenya, Seychelles and the United Republic of Tanzania in establishing joint investigation teams to investigate incidents of maritime piracy.

VIII. Support to build regional capacity to combat illicit financial flows

56. In 2012, through its Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism, UNODC provided technical assistance on money flows linked to piracy and other forms of organized crime to police, financial intelligence units, customs authorities and other law enforcement agencies in Ethiopia, Kenya and the United Republic of Tanzania. Similar requests for

assistance, for which UNODC is mobilizing funding, have been received from Djibouti, the Federal Government of Somalia and "Somaliland".

57. In March 2013, UNODC held a three-day workshop on Somali money or value transfer services in Vienna, which was attended by representatives of the Ministry of Finance of Somalia and over 16 Somali hawala companies. Senders of remittances created the Somali Money Services Association to coordinate the implementation of activities agreed during the workshop. With UNODC support, the Association is developing a code of conduct to ensure that money transfer services in Somalia meet international standards. UNODC also held a workshop in Garowe, Puntland, in August 2013, to draft guidelines tailored to the region for the development of a national framework to counter money-laundering and the financing of terrorism. These efforts aim to establish an operational and effective relation between authorities and providers of money or value transfer services, which will facilitate the effective gathering of financial information and support investigations targeting financiers of pirates.

IX. Allegations of illegal fishing and illegal dumping, including of toxic substances, off the coast of Somalia

58. In my report on the protection of Somali natural resources and waters (S/2011/661), I noted that the proclamation of an exclusive economic zone, together with the adoption of enabling legislation, would clarify the legal basis for the protection of the sovereign rights of Somalia with respect to natural resources and its jurisdiction over the marine environment. On 1 May 2013 in his message to the Contact Group on Piracy off the Coast of Somalia, President Mohamud stressed that illegal, unregulated and unreported fishing and the dumping of toxic waste in Somali waters must stop. He announced that a 1988 Somali law already put the country fully in compliance with the United Nations Convention on the Law of the Sea and noted that Somalia would transmit this legislation to the United Nations shortly.

59. It remains difficult to provide accurate details relating to illegal fishing and illegal dumping, including of toxic substances, off the coast of Somalia owing to the lack of systematic monitoring and reporting systems. Allegations of illegal fishing by vessels inside and outside the region persist but currently cannot be verified. Any incident of illegal dumping or illegal fishing should be reported to INTERPOL so that it can be investigated by the appropriate law enforcement entities. While illegal fishing has often been associated with overfishing and the depletion of stocks available to Somali fishers, data analysed by the World Bank in its report *The Pirates of Somalia: Ending the Threat, Rebuilding a Nation* do not reflect such a correlation off the coast of Somalia. Moreover, the findings in the report indicate that piracy has affected the fishing industry negatively in East African countries in terms of both output and trade and that the impact on fisheries has probably been higher for Somalia's neighbours than for Somalia itself. Given the large gap that exists between the actual and the potential catch in Somalia, it is very unlikely that illegal fishing could lead to overfishing in Somali waters. Thus, the potential of fishing as an engine of growth and source of income in Somalia should not be overstated.

60. Somalia-based piracy is a criminal activity that has transnational aspects and that is driven by the quest for illicit profit. Most of the commercial vessels hijacked by pirates are slow-moving cargo carriers and tankers with no ties to the fishing sector. Allegations of illegal fishing and toxic dumping do not justify the capture of merchant ships and seamen for ransom.

61. In its report dated July 2013 (S/2013/413), the Monitoring Group on Somalia and Eritrea noted that, with the general decline of pirate activity, a network of individuals, including known pirate leaders, was engaged in providing private security for unlicensed fishing vessels in Somali waters and was connected to weapons-smuggling and Al-Shabaab networks in north-eastern Somalia.

62. Key initiatives that aim to improve the monitoring and reporting of illegal fishing in Somali waters are included in the Kampala process, which seeks not only to combat piracy but also to create a secure maritime environment. These initiatives will promote the development of a maritime resources and security strategy and harmonize maritime law enforcement and anti-piracy laws. This is to be achieved through Somali counter-piracy focal points who will act as cross-government and inter-agency coordinators, linking the navy, the coastguard, the police, the judiciary, prisons, ports, fisheries and development.

X. Addressing the root causes of piracy off the coast of Somalia

63. In my previous report on the situation with respect to piracy and armed robbery at sea off the coast of Somalia (S/2012/783), I observed that until the root causes of piracy, namely, instability, lawlessness and a lack of effective governance in Somalia, are addressed, counter-piracy efforts must not be minimized. An effective Government in charge of the country will help restore basic governance, stability and national security. This will address issues of underdevelopment, poverty and the lack of legitimate employment opportunities, which have to date been exploited to recruit jobless youths willing to take the risk of hijacking vessels and seafarers for ransom. The people and the Federal Government of Somalia have made considerable progress over the past year to consolidate security and begin putting in place credible State institutions. The United Nations continues to provide political support for the peace process in Somalia and promote a new phase of cooperation with the international community. While much has been achieved, progress made can be reversed.

64. By its resolution 2102 (2013), the Security Council decided that the mandate of UNSOM should include supporting the Federal Government of Somalia and AMISOM on governance, security sector reform, the rule of law, the disengagement of combatants, maritime security and mine action. Such a multi-faceted mandate would help Somalia address the root causes of piracy. UNSOM is encouraging the Federal Government of Somalia to deposit with the United Nations a legal instrument defining the Somali exclusive economic zone. UNSOM is also actively supporting the Federal Government to ensure that the parliament passes a set of modern counter-piracy laws.

65. The United Nations is working closely with the Contact Group on Piracy off the Coast of Somalia to deliver a comprehensive response to Somalia-based piracy that includes capacity-building, supporting the adoption by States of modern counter-piracy laws consistent with international law, in particular the United

Nations Convention on the Law of the Sea, assisting in the development of maritime law enforcement and maritime crime investigative capacities, and supporting regional networks and knowledge exchanges.

66. FAO is advising and supporting Somalia in strengthening the governance of the fisheries sector, creating strong institutions and developing the policy and legal frameworks for the development of sustainable fisheries. In addition, FAO is providing support in the development of a federal Somali fisheries authority, creating an identity card for fishermen and a vessel registry system, supporting alternative livelihoods and capacity development for local youth in the coastal town of Eyl, enhancing the capacity of the fisheries sector in Puntland and "Somaliland" and building capabilities for fish processing, trading and marketing.

67. In coordination with FAO and the United Nations Children's Fund, WFP has undertaken targeted interventions in Somalia to enhance livelihoods, promote the resilience of vulnerable populations and increase the number of income-generating activities. WFP rehabilitated some 600 km of feeder roads, cleared 185 ha of land for agriculture, planted 11,500 tree seedlings to combat erosion and constructed 179 water catchments and 101 shallow wells in Somalia through food-for-assets activities. These efforts enhance the ability of producers to reach markets and have the potential to increase income and improve production systems. In addition, WFP assisted 150 training centres through food-for-training activities by which participants receive food rations as a temporary safety net while at the same time learning new skills that will enable them to find employment, start businesses and become self-reliant.

68. On 17 April 2013, in Mogadishu, President Mohamud launched a joint programme for sustainable charcoal production and alternative livelihoods that had been developed by the United Nations Environment Programme in partnership with UNDP and FAO. Besides addressing local energy needs, the programme will encourage economically viable agriculture and livestock activities, provide support to the private sector to boost agribusiness and promote local economic opportunities.

69. Also in 2013, UNSOM supported the launch of the Somali Anti-Piracy Information Centre as part of an 18-month-long counter-piracy communications campaign. The Centre is a Somalia-based community programme that initiated a multimedia advocacy campaign in south-central Somalia and in the refugee camps in Dadaab, Kenya, about the detrimental effects of piracy. It disseminates information about alternative livelihoods and sources of income and about efforts made by local and international organizations to combat piracy.

XI. Observations

70. I welcome the significant decrease in reported incidents of piracy off the coast of Somalia owing to the concerted efforts of Somalis and the international community. However, the situation with regard to the rule of law, security, development and governance in Somalia that has allowed piracy to arise has not changed sufficiently so as to deter criminals from attacking ships and holding seafarers hostage for ransom. Pirate attacks may increase if the international naval presence is reduced or if commercial vessels relax their self-protection measures. It is therefore important that the international community's focused and coordinated

efforts to address piracy and armed robbery at sea off the coast of Somalia must continue.

71. The resilience of pirates points to the main challenge: the onshore rule of law and governance vacuum in which they operate. As the number of pirate attacks decreases and as the international community shows renewed commitment to supporting State-building and peacebuilding efforts in Somalia, now is the opportunity to undertake long-term and sustainable efforts to repress piracy, including the construction of viable and accountable Somali State structures, the re-establishment of responsive law enforcement capabilities both at sea and onshore and the creation of adequate economic opportunities for the citizens of Somalia. I reiterate my call in this regard to all Member States to continue to support the Federal Government of Somalia, including by fulfilling pledges made to Somalia during the course of the past year.

72. The sustainable development and exploitation of marine resources of Somalia in accordance with international law should offer economic benefits that may address some of the root causes of piracy. I commend the development of the Somali Maritime Resources and Security Strategy, which provides greater opportunities for increased economic growth and stability throughout the region. I encourage the Federal Government of Somalia to adopt implementing legislation for an exclusive economic zone in accordance with the United Nations Convention on the Law of the Sea. The Secretariat stands ready to provide advice and assistance to the Federal Government of Somalia in implementing the provisions of that Convention.

73. I strongly condemn the illegal and forcible detention of innocent seafarers by Somali pirates and express my deepest sympathy for the suffering of seafarers and their families. All hostages should be released immediately without condition. The concerned flag States and shipowners should ensure that appropriate attention is paid to the well-being of seafarers in captivity and their families and continue to make efforts to ensure their expeditious release. I commend the Hostage Support Programme for tracking and monitoring those held hostage by Somali pirates, delivering humanitarian assistance if possible and repatriating those abandoned onshore in Somalia. The Programme now intends to collect detailed hostage experience and data for the benefit of victims of piracy and for advancing research, training and policy formulation. This should continue to receive the support of the international community and maritime industry.

74. It is important to demonstrate to pirates that they will be prosecuted and brought to justice, particularly in accordance with paragraph 16 of Security Council resolution 2077 (2012). I encourage Somali authorities to pass all relevant legislation to facilitate the prosecution of individuals suspected of piracy and the imprisonment of convicted pirates in the country. In addition, consideration should be given to multilateral and bilateral legal arrangements that would allow, on the basis of and in compliance with international human rights law, the investigation of cases and the sharing of evidence on, as well as the apprehension, transfer and imprisonment of convicted pirates. The international community should support the efforts of Somali authorities to target those individuals on land who enable this criminal activity to thrive.

75. The commitment of Working Group 2 of the Contact Group on Piracy off the Coast of Somalia to protect the rights of juveniles suspected of acts of piracy is

commendable. The prosecution, detention and trial of individuals suspected of piracy must adhere to the applicable international norms, including international human rights standards. The continued provision of technical support to the police, prosecutors, courts and prisons is essential to successfully integrating and applying international human rights standards from the moment of apprehension to conviction and, when applicable, imprisonment.

76. The UNODC Counter-Piracy Programme, worth $60 million, continues to provide a robust example of what an effective, practical and engagement-oriented multilateral programme can actually achieve. With a focus on sustainability and human rights, the Programme continues to deliver tangible results, such as facilitating the transfer of individuals suspected of piracy for prosecution, strengthening regional and Somali capacities for investigation, prosecution and incarceration and focusing on the immediate care and repatriation of hostages. I applaud such initiative, together with significant efforts of FAO, IMO, UNDP, UNSOM, WFP and the Office of the United Nations High Commissioner for Human Rights to address piracy comprehensively.

77. The shipping industry should continue to implement self-protection measures, in particular the Best Management Practices for Protection against Somalia-based Piracy, which have proved largely successful in preventing the pirates from boarding vessels and enabling rescues by naval forces from seized vessels. The work being undertaken by IMO and the Contact Group on Piracy off the Coast of Somalia and its working groups to establish a framework ensuring appropriate regulation and accountability for the deployment of privately contracted armed security personnel on board vessels is noteworthy.

78. Information-sharing and trust-building between countries and agencies involved in counter-piracy efforts is essential. I commend the efforts of the Contact Group on Piracy off the Coast of Somalia, which embraces informal partnerships between States, international and regional organizations and the private industry to address the scourge of piracy. The Contact Group continues to adapt its working methods, finding creative and practical solutions to the complex cross-cutting problems underlying piracy.

79. Recent gains in the fight against piracy demonstrate that the international community can effectively address complex challenges with transnational aspects by working together with a problem-solving approach. For these gains to be sustainable, efforts should continue to be made to improve information-sharing, strengthening prosecution capacity and building the effective maritime security capabilities of Somalia and the region.